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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,856

12/12/2003

Seungyun Yoon

TN326

1534

7590

03/23/2007

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EXAMINER

WILKENS, JANET MARIE

ART UNIT

PAPER NUMBER

3637

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/734,856

Applicant(s)

YOON, SEUNGYUN

Examiner

Janet M. Wilkens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8-18,20,21, and 23-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8-11,20,21,23-26,30-37,45 and 47 is/are rejected.
- 7) ☒ Claim(s) 12-18,27-29,38-44 and 46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

The finality of the rejection of the last Office action has been withdrawn in view of newly found references. Delay in applying these references is regretted.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 20, 21 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Ledbetter et al (2,315,862). Ledbetter teaches a fixture (Fig. 2) comprising: a first plate (bottom of 5) and a second plate (4) having a surface. The first plate is pivotally connected, via a single pin and aperture (8,9), to the second plate at corner portions thereof so that in a first position, the first plate is adjacent to and in substantial alignment with the second plate (Fig. 1; lower drawers) and in a second position, the first plate is rotated to an orientation which laterally projects "substantially" normal from the second plate (Fig. 2). Also, between the plates are a bearing plate (10; includes balls and plate) and a guide (11). As for as the combination, the desk body with its various walls/supports can be considered the rack into which the fixture and its plate rotate and inherently the drawer/first plate is for receiving and storing components.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20, 21, 23-25, and 31-36 are rejected under 35 U.S.C. 102(e) as anticipated by Gregorio (2003/0042830) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Gregorio (2003/0042830). Gregorio teaches a fixture (Figs. 1-3) comprising: a first rectangular plate (118) and a second rectangular plate (104) having a surface. The first plate is pivotally connected, via a single pin and aperture (109,110), to the second plate at corner portions thereof so that in a first position, the first plate is adjacent to and in substantial alignment with the second plate (Fig. 1) and in a second position, the first plate is rotated to an orientation which laterally projects "substantially" normal from the second plate (Fig. 2). Also, between the plates is a bearing plate (116) with an arcuate channel (right side), a guide (118), and a follower (116a). As for as the combination, the cabinet body (104) with its various walls/supports can be considered the rack into which the fixture and its plate rotate and the television is being considered the component. Please note that limitations found in intended use/"for" statements have been given no weight in the claims. Also note that the "corner" limitation is being given its broadest reasonable interpretation when being applied to the second plate which has its pivot located in a corner region of the plate. However, even if this were not considerable as a corner portion, the examiner contends that to use the pivotal

plate/under-structure on a depending plate, e.g. a table, attaching the pivot in a corner thereof, would have been an obvious consideration to one having ordinary skill in the art, depending on the television support structure, i.e. cabinet or table, desired.

Claims 26, 37 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregorio (2003/0042830). As stated above, Gregorio teaches the limitations of claim 20, 23, 25, 31, 33 and 36, including a bearing plate (116) with a guide (118a). For claims 26 and 37, Gregorio fails to teach the material make-up of the guide, i.e. that it is a friction-reducing plastic material. The examiner takes Official notice that friction-reducing plastic material is well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the fixture of Gregorio by making its guide a friction-reducing plastic material, depending on the desired need of the person constructing the fixture, e.g. to provide for smooth movement between the guide and channel.

For claim 47, Gregorio fails to teach that the television is connected to the first plate. The examiner takes Official notice that to attach a television to its support is well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the first plate of Gregorio, by adding a connector thereon to attach to the television, to provide a means to prevent the television from lateral movement while on the first plate.

Claims 1, 3-5, 8-11, 30 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregorio (2003/0042830) in view of the disclosed prior art (page 6, lines 2-19 of the instant application). Gregorio teaches a fixture (Figs. 1-3) comprising: a

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first rectangular plate (118) and a second rectangular plate (104) having a surface. The first plate is pivotally connected, via a single pin and aperture (109,110), to the second plate at corner portions thereof so that in a first position, the first plate is adjacent to and in substantial alignment with the second plate (Fig. 1) and in a second position, the first plate is rotated to an orientation which laterally projects "substantially" normal from the second plate (Fig. 2). Also, between the plates is a bearing plate (116) with an arcuate channel (right side), a guide (118), and a follower (116a). Please note that limitations found in intended use/"for" statements have been given no weight in the claims. For claims 1, 30 and 45, Gregorio fails to teach a locking mechanism with a retractable tip extending through the second plate and engaging the first plate. In the instant specification, it is stated that retractable tip locking mechanisms are well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the second plate of Gregorio by adding this type of locking mechanism in the second plate, in addition of the locking mechanism presently used, to hold the first plate in a desired set position with respect to the second plate.

Also for claims 1 and 11, Gregorio fails to teach the material make-up of the bearing plate and guide, i.e. that they are a friction-reducing plastic material. The examiner takes Official notice that friction-reducing plastic bearing plates and members are well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the fixture of Gregorio by making the bearing plate and guide a friction-reducing plastic material, depending on the desired

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need of the person constructing the fixture, e.g. to provide for smooth movement between the plates.

Allowable Subject Matter

Claims 12-18, 27-29, 38-44 and 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

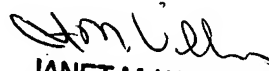
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet M. Wilkens whose telephone number is (571) 272-6869. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wilkins
March 19, 2007


JANET M. WILKENS
PRIMARY EXAMINER
